

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

MARY HEWITT,

Plaintiff,

vs.

ANDREW SAUL, Commissioner of
Social Security Administration,

Defendant.

CV 20-20-BLG-TJC

ORDER

Based upon the stipulation of the parties (Doc. 21), IT IS HEREBY ORDERED that the Commissioner's final decision in regard to Plaintiff's application for a period of disability, disability insurance benefits, widow's insurance benefits, and supplemental security income under Titles II and XVI of the Social Security Act be REVERSED and REMANDED for further administrative proceedings, a new hearing, and a new decision under sentence four of 42 U.S.C. § 450(g). See *Shalala v. Schaefer*, 509 U.S. 292 (1993).

On remand, the Commissioner will (1) instruct the ALJ to further evaluate the claimant's alleged symptoms, (2) reconsider the claimant's residual functional capacity, particularly as it relates to the claimant's bowel incontinence, (3) if warranted, obtain vocational expert testimony, and (4) issue a new decision.

The claimant shall have the opportunity to submit new evidence and make new arguments.

This remand should be made pursuant to sentence four of 42 U.S.C. § 405(g). Upon proper application, Plaintiff may seek an award of reasonable attorney fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

DATED this 17th day of December, 2020.



TIMOTHY J. CAVAN
United States Magistrate Judge